

02-05-03 # 91A S837  
5/8/03

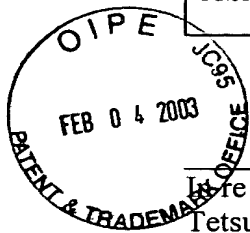
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Dated: February 4, 2003

Signature: Monica L. Thomas

(Monica L. Thomas)

Docket No.: HO-P02039US1  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:  
Tetsuo Ashizawa, et al

Application No.: 09/942,336

Group Art Unit: N/A

Filed: August 29, 2001

Examiner: Not Yet Assigned

For: DNA TEST FOR SCA-10

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**RESUBMITTAL OF RESPONSE FILED OCTOBER 1, 2002  
AND PROOF THEREOF**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

The enclosed Response to Office Action and related documents were filed with the USPTO on October 1, 2002 by Applicants. Applicants understand by telephonic communication with the Examiner that he did not receive these documents.

Applicants submit herewith a copy of a postcard stamped on October 1, 2002 identifying these documents. Applicants respectfully assert that in light of the submission of these documents the file remains in good standing.

Applicants believe no additional fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02039US1 from which the undersigned is authorized to draw.

Dated: February 4, 2003

Respectfully submitted,

By Melissa L. Sistrunk  
Melissa L. Sistrunk  
Registration No.: 45,579  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
(713) 651-5246 (Fax)  
Agent for Applicant



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Atty Docket No.: HO-P82039US1

Reference: 10023139 / Baylor College of Medicine

Inventor: Tetsuo Ashizawa, et al.

Application No.: 09/942,336

Filing Date: August 29, 2001

Title: DNA TEST FOR SCA-10

**Documents Filed:**

Response to Office Action dated July 3, 2002 (7 Pages)

Copy of Office Action dated July 3, 2002 (8 Pages)

IDS (Citation) by Applicant (3 pages)

Information Disclosure Statement (2 pages)

IDS References (29 References)

Transmittal Letter (2 pages)

Fee Sheet (1 page)

Transmittal (1 page)

Check in the amount of \$180.00

Postcard



Via: Express Mail # EU186312915US

Sender's Initials: MLS/mlt

Date: October 1, 2002



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<div><b>FULBRIGHT &amp; JAWORSKI L.L.P.</b> 1301 McKinney, Suite 5100 Houston, Texas 77010-3095  COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231</div>											
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<b>ABSOLUTE DEADLINES:</b> Date _____ Day _____ Time _____				<b>Type of Pleading To Be Filed (e.g., Plaintiff, Original Petition, Interrogatories, etc.):</b> _____							
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<b>ATTORNEY NAME:</b> Melissa Sistrunk				<b>ATTORNEY NO.:</b> 1533				<b>MATTER NO.:</b> 10023139			
<b>CLIENT NAME:</b> Baylor				<b>MATTER:</b> _____							
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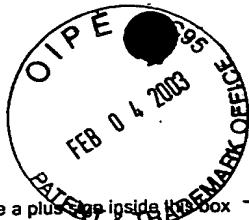
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PTO/SB/21 (08-00)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

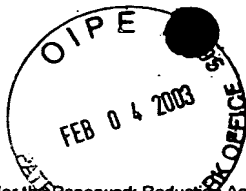
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/942,336	
	Filing Date	August 29, 2001	
	First Named Inventor	Tetsuo Ashizawa	
	Group Art Unit	1637	
	Examiner Name	Hashemi, Shar S.	
Total Number of Pages in This Submission	22	Attorney Docket Number	HO-P02039US1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  Copy of Office Action mailed July 3, 2002; PTO/SBA/08A and IDS references; Check in the amount of \$180.00 Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	FULBRIGHT & JAWORSKI L.L.P. Melissa L. Sistrunk; Reg. No. 45,579
Signature	<i>Melissa L. Sistrunk</i>
Date	Oct. 1, 2002

Transmittal	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU186312915US, in an envelope addressed to: Commissioner for Patents, Washington, DC: 20231, on the date shown below.	
Dated: October 1, 2002	Signature: <i>Monica Thomas</i> (Monica Thomas)



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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
TOTAL AMOUNT OF PAYMENT	(\$) 180.00
Complete if Known	
Application Number	09/942,336
Filing Date	August 29, 2001
First Named Inventor	Tetsuo Ashizawa
Examiner Name	Hashemi, Shar S.
Group Art Unit	1637
Attorney Docket No.	HO-P02039US1

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number: 06-2375

Deposit Account Name: Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	201 370 Utility filing fee	
		106	330	206 165 Design filing fee	
		107	510	207 255 Plant filing fee	
		108	740	208 370 Reissue filing fee	
		114	160	214 80 Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: -20\*\* =  x  =

Independent Claims: -3\*\* =  x  =

Multiple Dependent:  =

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	203 9 Claims in excess of 20	
		102	84	202 42 Independent claims in excess of 3	
		104	280	204 140 Multiple dependent claim, if not paid	
		109	84	209 42 ** Reissue independent claims over original patent	
		110	18	210 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	180.00
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 180.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Melissa L. Sistrunk	Registration No. (Attorney/Agent)	45,579
Signature	Melissa Sistrunk	Telephone	(713) 651-3735
		Date	Oct. 1, 2002

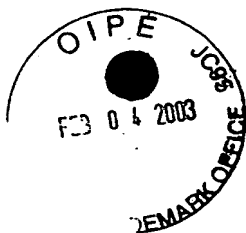
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IDS (Citation) by Applicant

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Dated: October 1, 2002

Signature:

*Monica Thomas*  
(Monica Thomas)

Docket No.: HO-P02039US1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tetsuo Ashizawa, et al.

Application No.: 09/942,336

Group Art Unit: 1637

Filed: August 29, 2001

Examiner: Hashemia, Shar S.

For: DNA TEST FOR SCA-10

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TRANSMITTAL LETTER

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Amendment in Response to Non-Final Office Action (3 pages);
2. Information Disclosure Statement; Information Disclosure Statement by Applicant (PTO/SB/08A); and References; and
3. Postcard.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02039US1. A duplicate copy of this paper is enclosed.

Applicants believe no other fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02039US1 from which the undersigned is authorized to draw.

Dated: *Oct. 1, 2002*

Respectfully submitted,

By *Melissa L. Sistrunk*

Melissa L. Sistrunk

Registration No.: 45,579

FULBRIGHT & JAWORSKI L.L.P.

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Agent for Applicant